



City of El Paso – City Plan Commission Staff Report

REVISED

Case No: PZST15-00031
Application Type: Special Permit and Detailed Site Development Plan Review
CPC Hearing Date: September 24, 2015
Staff Planner: Adriana Martinez, 915-212-1611, MartinezAD@elpasotexas.gov
Location: 3400 Alameda Ave.
Legal Description: Portion of Lots 25 and 26, inclusive, Block 11, East El Paso Addition (Supplemental Map No.1), City of El Paso, El Paso County, Texas
Acreage: 0.026
Rep District: 8
Existing Zoning: C-4 (Commercial)
Existing Use: Motor Vehicle Repair, Major
C/SC/SP/ZBA/LNC: N/A
Request: New 65' Personal Wireless Service Facility (PWSF)
Proposed Use: New 65' Personal Wireless Service Facility (PWSF)
Property Owner: Robert Malooly
Representative: Pinnacle Consulting, Inc. - Ben Feldman

SURROUNDING ZONING AND LAND USE

North: C-4 (Commercial) / Retail & Residential
South: A-3 (Apartment) / Mobile Home Park
East: C-4 (Commercial) / Commercial
West: C-4 (Commercial) / Professional Office

PLAN EL PASO DESIGNATION: G-2, Traditional Neighborhood (Walkable) (Central Planning Area)

NEAREST PARK: Pera Luna Park (495 feet)

NEAREST SCHOOL: Zavala Elementary School (2,523 feet)

NEIGHBORHOOD ASSOCIATIONS

El Paso Central Business Association
Fuerza Unida Neighborhood Association

NEIGHBORHOOD INPUT

Notice of a Public Hearing was mailed to all property owners within 300 feet of the subject property on September 10, 2015. The Planning Division has not received any communication in support or opposition to the special permit request.

APPLICATION DESCRIPTION

The applicant is requesting a special permit to allow for the placement of a ground-mounted personal wireless service facility (PWSF) on the proposed site within a one-half mile radius of an existing PWSF site as required by El Paso City Code Section 20.10.455G. Three existing PWSF sites exist within one-half mile of the proposed site. The site plan shows a 1,132 sq. ft. lease area for a 65-foot high structure with antennas and service equipment enclosure. The antennas and support structure will be camouflaged to resemble a palm tree. The proposed PWSF meets all setback and height requirements for a location in a commercial district. The applicant opted to request a landscape buyout as permitted by Title 18 for PWSF facilities. An access easement within an existing driveway is proposed from Alameda Avenue.

PLANNING DIVISION RECOMMENDATION

The Planning Division recommends **approval** of the special permit for a Personal Wireless Service Facility (PWSF), as it meets all the requirements of 20.10.455 PWSF, 20.04.320, Special Permit, and 20.04.150, Detailed Site Development Plan.

ANALYSIS

20.10.455.F Personal Wireless Service Facility (PWSF)

F. C-3, C-4 and C-5 Commercial Districts.

1. Ground-mounted PWSF antenna support structures with appurtenant equipment storage facilities are permitted with the following restrictions:

a. Setbacks. The PWSF antenna support structure shall meet the yard standards of the district, except that a setback of one foot for each foot of height, measured from the PWSF antenna support structure base to any abutting property line of property in a residential or apartment zoning district shall be required. In the case where a right-of-way or easement separates the property from a residential zoning district, the width of such right-of-way or easement shall be included in meeting the setback requirement; provided, however, that the setback from the property line shall never be less than that required in the district yard standards.

b. Separation Between PWSF Antenna Support Structures. The minimum separation distance between ground-mounted PWSF antenna support structures shall be one-half mile, except as provided in subsection (F)(1)(c) of this section. Separation distance shall be measured by drawing or following a straight line between the base of any existing PWSF antenna support structure and the proposed base of a new PWSF antenna support structure.

c. Modified Separation Between PWSF Antenna Support Structures. The minimum separation between ground-mounted PWSF antenna support structures may be reduced below one-half mile by city council upon approval of a special permit application if the city council finds that:

i. The applicant is reasonably unable to use property that is more than one-half mile from another PWSF antenna support structure and be able to reasonably serve the area designated in a manner that is technically feasible and commercially reasonable;

ii. The property on which the PWSF antenna support structure is to be located is the only reasonably available property for use within one-half mile of another PWSF antenna support structure that will enable the applicant to reasonably serve the area designated in a manner that is technically feasible and commercially reasonable;

iii. The area designated by the applicant cannot be reasonably served in a manner that is technically feasible and commercially reasonable by locating additional antennas on the applicant's existing PWSF antenna support structures because such existing PWSF antenna support structures cannot safely support additional antennas;

iv. The applicant is unable to collocate its antennas on an existing PWSF antenna support structure that is owned or operated by a third person or entity and located such that the applicant is able to reasonably serve the area designated in a manner that is technically feasible and commercially reasonable; and

v. The applicant shall submit a list of addresses/locations showing all existing PWSF within a one-half mile radius of the proposed site and a map depicting such locations with the special permit application.

d. Height Restriction. The PWSF antenna support structure and appurtenant antennas shall not exceed one hundred twenty-five feet in height, except as provided in subsection (F)(1)(e) or (F)(1)(f) of this section.

e. Modified Height Restriction. If the applicant is collocating two or more antennas on a structure or if the structure is camouflaged, then the height for a PWSF antenna support structure and appurtenant antennas shall not exceed one hundred fifty feet.

f. Special Permit for Additional Height in C-3 and C-4 Commercial Districts Only. The height for a ground-mounted PWSF antenna support structure and appurtenant antennas may be increased by city council upon approval of a special permit application, if the city council finds that:

i. The property on which the PWSF antenna support structure is to be located is the only property reasonably available for use by the applicant for a PWSF antenna support

structure of the height being proposed by the applicant that will enable the applicant to reasonably serve the area designated in a manner that is technically feasible and commercially reasonable;

ii. The applicant is unable to collocate its antennas on an existing PWSF antenna support structure that is owned or operated by a third person or entity and located such that the applicant is able to reasonably serve the area designated in a manner that is technically feasible and commercially reasonable;

iii. The applicant cannot use another PWSF antenna support structure that is located such that will enable the applicant to reasonably serve the area designated in a manner that is technically feasible and commercially reasonable or that the other PWSF antenna support structures used by the applicant will not safely support additional antennas; and

iv. Due to topographical conditions, the proposed height of the PWSF antenna support structure is reasonably necessary to enable the applicant to reasonably serve the area designated in a manner that is technically feasible and commercially reasonable.

g. Camouflage and Screening.

i. Camouflage is required for any ground-mounted PWSF. Camouflaging is a method of disguising or concealing the appearance of an object by changing its usual color, modifying its shape or locating it in a structure that complements the natural setting, existing and surrounding structures. In the context of this section, camouflaging, includes, but is not limited to, making PWSF antenna support structures resemble man-made trees, locating PWSF antenna support structures in bell steeples or clock towers, or on similar alternative-design mounting structures.

ii. Metallic surfaces shall be painted to reduce glare and reflections. No exterior paint colors shall be used which have a light-reflecting value (LRV) greater than forty percent. The LRV of a paint is available from paint manufacturers and it measures the amount of light reflected by a certain color.

iii. Screening of antennas on PWSF antenna support structures may include the use of existing parapets, walls, or similar architectural elements provided that it is painted and texturized to integrate with the architecture of the surrounding structure.

iv. Landscaping shall comply with all code requirements for landscaping.

h. Other Requirements. The following must accompany a request for a building or special permit:

i. A detailed plan showing the PWSF antenna support, antennas, and equipment in relation to the existing surroundings including screening, fencing, camouflage, off-street parking, and access from the PWSF antennas support site to the nearest public street; and,

ii. A verification letter that all required FAA and FCC approvals have been requested and that site-specific structural engineering and nonionizing electromagnetic radiation (NIER) reports are available on request from the applicant.

i. The design of related support structures for new PWSF antenna support structures shall incorporate materials, colors, textures, screening, and camouflaging techniques that will blend them to the extent reasonably possible into the natural setting and surrounding structures. The applicant will be required to provide photographs of predevelopment views versus post-development illustrations, at ninety-degree angles for a full three hundred sixty-degree radius, shown to scale. The building official shall review and consider any of the five items above to mitigate negative visual impacts created by the proposed PWSF antenna support structure and may require reasonable revisions necessary to bring the application into compliance with one or more of the five items above.

j. A six-foot high screening fence or wall of other than chain-link shall be constructed around the base of an antenna support structure to provide for security. The gate which provides access to the antenna support shall remain locked at all times except when being used for access by maintenance personnel.

k. The access driveway and off-street parking spaces for use by maintenance vehicles shall be paved as approved by the building official.

l. Collocation or installation of additional antennas on an existing antenna support structure shall be permitted. A structural recertification report prepared and sealed by a licensed professional engineer shall be required, and such report shall be reviewed and approved by the building official prior to issuance of a building permit.

The application meets the requirements for PWSF.

20.04.320 Special permit approvals.

- A. Building and occupancy permits shall not be issued to any building or use identified in this title as requiring a special permit until after approval of such special permit by the city council.
- B. Building and occupancy permits shall not be issued for any building or use identified in this title as requiring an approved detailed site development plan as required by Article III, until such approval has been granted.
- C. No building or occupancy permit may be granted for the erection, rehabilitation, enlargement or demolition of any building in a designated historic area or for any building that is a designated historic landmark until prior approval has been granted by the historic landmark commission.
- D. The city council, after hearing and report by the city plan commission, may approve a special permit upon a finding that the proposed development meets the following minimum requirements necessary to protect the public health, safety and general welfare of the community:
 - 1. The proposed development complies, except to the extent waived, varied or modified pursuant to the provisions of this title, with all of the standards and conditions applicable in the zoning district in which it is proposed to be located; complies with any special standards applicable to the particular type of development being proposed, or to the particular area in which the development is proposed; complies with any special approvals required in connection with such development or area;
 - 2. The proposed development is in accordance with and in furtherance of the plan for El Paso, any special neighborhood plans or policies adopted by the city regarding the development area, or any approved concept plan;
 - 3. The proposed development is adequately served by and will not impose an undue burden upon the public improvements and rights-of-way by which it will be served or benefited, or which exist or are planned for installation within its boundaries or their immediate vicinity. A traffic impact study may be required to determine the effects of the proposed development on the public rights-of-way;
 - 4. Any impacts of the proposed development on adjacent property are adequately mitigated with the design, proposed construction and phasing of the site development;
 - 5. The design of the proposed development mitigates substantial environmental problems;
 - 6. The proposed development provides adequate landscaping and/or screening where needed to reduce visibility to adjacent uses;
 - 7. The proposed development is compatible with adjacent structures and uses;
 - 8. The proposed development is not materially detrimental to the enjoyment or valuation of the property adjacent to the site.
- E. The applicant may request that the city plan commission waive one or more of the criteria based on its no applicability to the proposed development. The city plan commission, upon a recommendation of the planning official, shall make a determination on the no applicability of the criteria and shall render a finding based on such determination, and shall forward their recommendation to city council for final review and approval.

The application meets the requirements for special permit.

20.04.140 When required.

Except as stated herein, a detailed site development plan is required prior to development in a special purpose district or with a special permit application and may be required if a zoning condition exists on a particular piece of property. Detailed site development plans are not required for any projects for development in the Mixed Use District (RMU, GMU and IMU) or for any other projects other than those located in special purpose districts or as otherwise required herein.

Detailed Site Development Plan review is required as part of the special permit application.

20.04.150 Procedure.

- D. City plan commission approval. Pursuant to this Code, the city plan commission, in addition to

the powers and duties identified in this chapter, shall have final authority on approval of all other detailed site development plans, unless a zoning condition, contract provision, other city code provision or state law require the detailed site development plan to be approved by city council.

1. The planning division shall make its recommendations to the city plan commission within thirty days after a complete application is submitted.
2. The city plan commission shall hold a public hearing at its regular meeting that is within thirty days from receipt of department recommendations.
3. The commission shall consider the following information when approving a proposed detailed site development plan: the boundaries of the tract proposed for development; location and arrangement of structures; determine if the use conforms to applicable zoning regulations, determine if historic landmark commission approval has been granted for architectural design of all structures if located in a historic district and the design conforms to such approval; location of utility rights-of-way and easements and storm water drainage; vehicular and pedestrian ways; on-site parking areas; location of open spaces and landscape planted areas.
4. In no instance shall the city plan commission have authority to vary the yard standards applicable to the district.
5. The city plan commission shall approve the plan if it complies with all applicable code provisions.

Planning Staff has reviewed the detailed site development plan, and verified that it meets all requirements of Sections 20.04.320, Special Permit, and 20.04.150 Detailed Site Development Plan.

Plan El Paso-Future Land Use Map Designation

All applications for special permit shall demonstrate compliance with the following criteria:

G-2 – Traditional Neighborhood (Walkable): This sector includes the remainder of central El Paso as it existed through World War II. Blocks are small and usually have rear alleys; buildings directly faced streets; schools, parks, and small shops are integrated with residential areas. This sector is well-suited for use of the SmartCode as a replacement for current zoning when planned in conjunction with specific neighborhood plans or identified in this Comprehensive Plan.

The purpose of the C-4 (Commercial) district is intended to serve the entire City to permit heavy commercial uses characterized by automotive and light warehousing. Provides a transition from general business areas to industrial and manufacturing uses, and to accommodate major locations of commerce, service and employment activities.

COMMENTS:

Planning and Inspections Department – Planning Division - Transportation

No objections to the special permit request.

Note:

All existing / proposed paths of travel (accessible sidewalks, wheelchair access curb ramps and driveways) within public rights-of-way shall be in compliance with current ADA/TAS rules and regulations and the current City of El Paso Design Standards for Construction.

Planning and Inspections Department – Plan Review

Recommend approval. At the time of submittal for building permits project will need to comply with all provisions of the IBC, TAS and local municipal code.

Planning and Inspections Department - Landscaping Division

No objection to proposed special permit per submitted landscape buyout letter

Planning and Inspections Department - Land Development

No objections.

Texas Department of Transportation (TxDOT)

No objections.

Fire Department

Recommend approval.

El Paso Water Utilities

EPWU does not object to this request.

Water:

1. There is an existing 12-inch diameter water main extending along Alameda Avenue that is available for service, the water main is located approximately 29.5-ft north from the center line of the right-of-way.
2. Previous water pressure tests from fire hydrant # 9784 located at the northeast corner of Luna Street and Alameda Avenue have yielded a static pressure of 90 (psi) pounds per square inch, a residual pressure of 80 (psi) pounds per square inch, and a discharge of 919 (gpm) gallons per minute.
3. The owner should, for his own protection and at his own expense, install at the discharge side of each water meter a pressure regulator, strainer and relief valve, to be set for pressure as desired by the customer. The Lot owner shall be responsible for the operation and maintenance of the above-described water pressure regulating device.

Sanitary Sewer:

There is an existing 8-inch diameter sanitary sewer main along the alley between Alameda Avenue and Pera Street. The sewer main is located approximately 10-ft south from the southern property line.

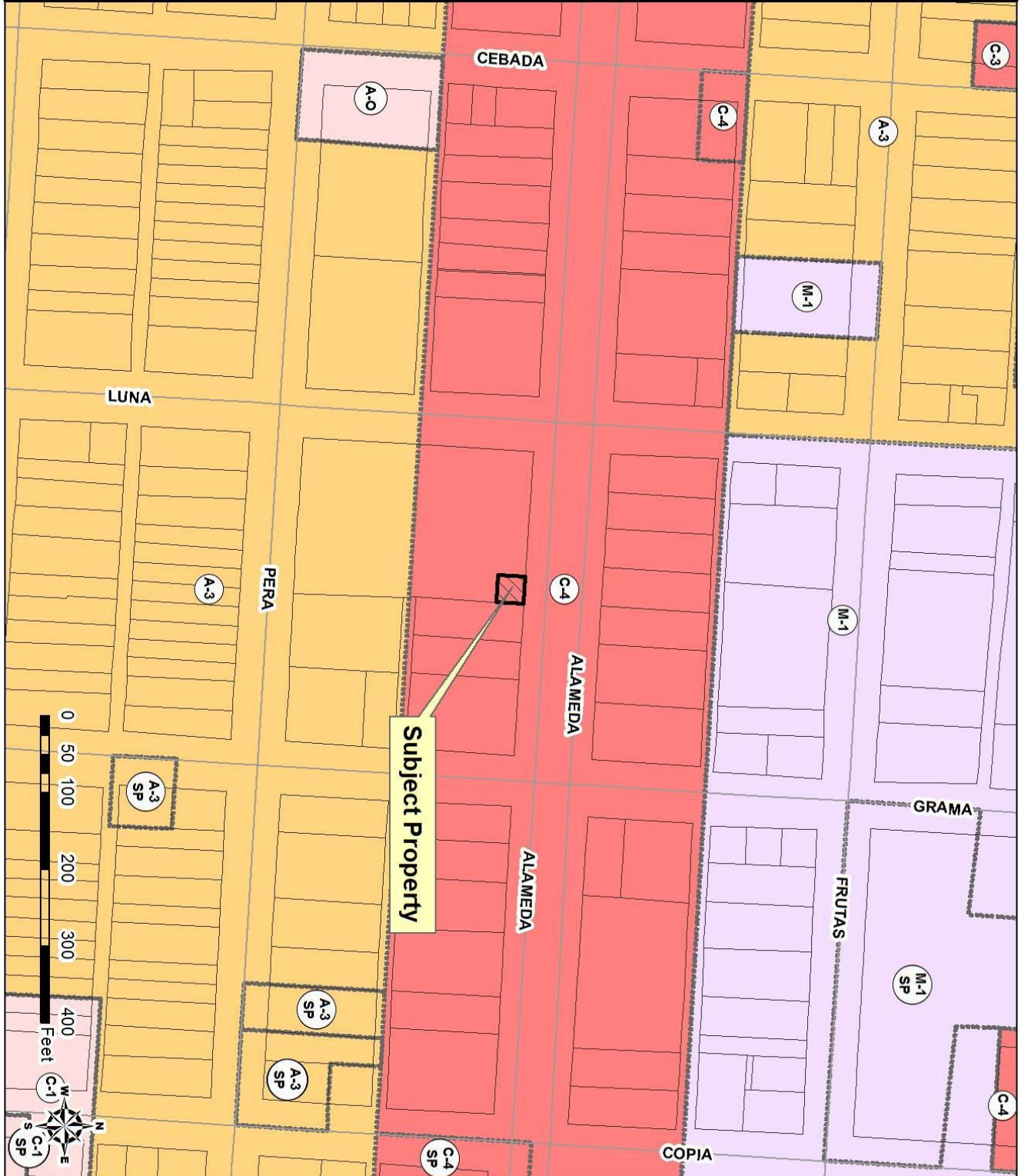
General:

EPWU requires a new service application to provide service to the property. New service applications are available at 1154 Hawkins, 3rd floor and should be made 6 to 8 weeks in advance of construction to ensure water for construction work. A site plan, utility plan, grading and drainage plans, landscaping plan, the legal description of the property and a certificate-of-compliance are required at the time of application. Service will be provided in accordance with the current EPWU – PSB Rules and Regulations. The applicant is responsible for the costs of any necessary on-site and off-site extensions, relocations or adjustments of water and sanitary sewer lines and appurtenances.

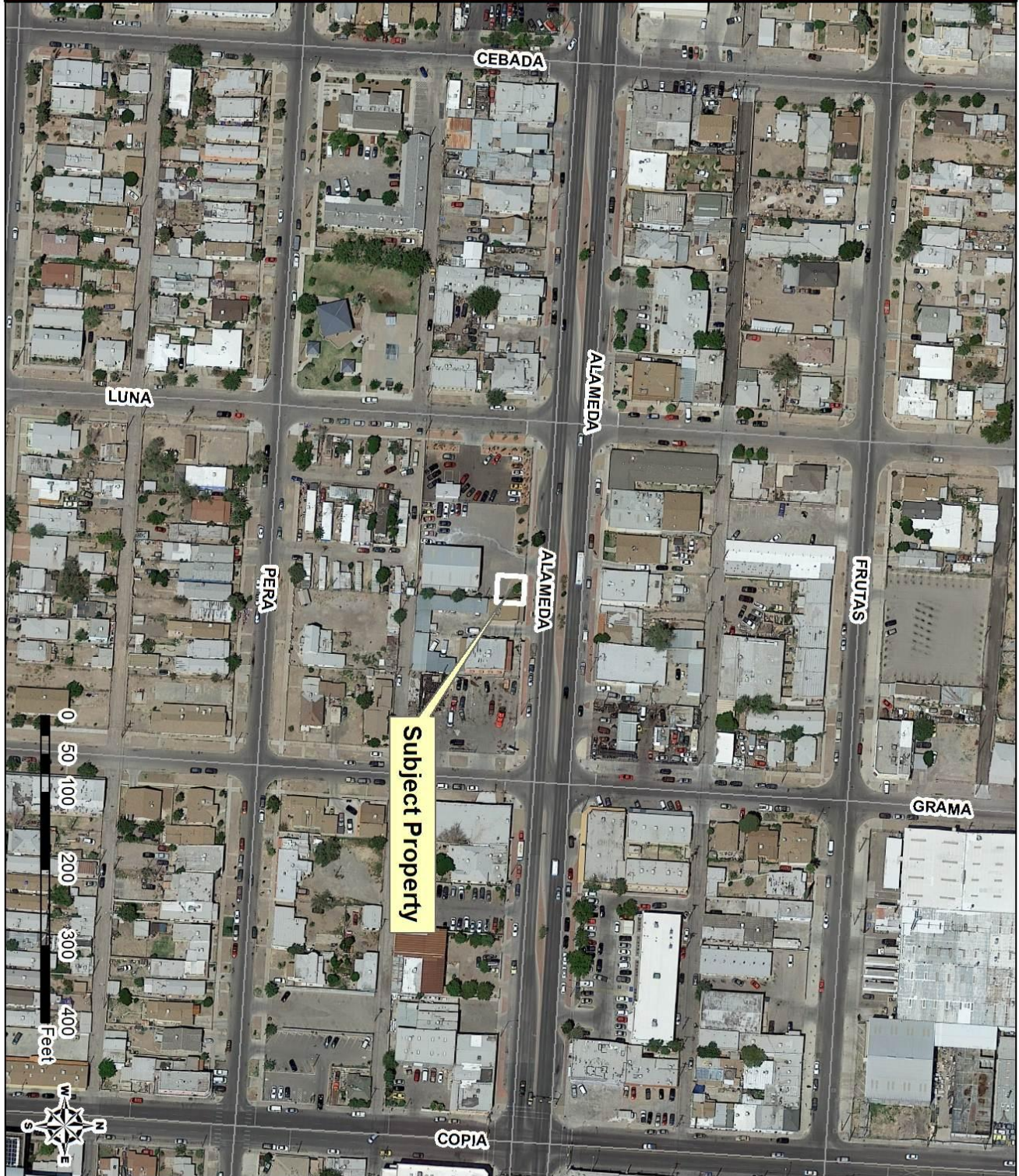
Attachments

1. Zoning Map
2. Aerial Map
3. Detailed Site Development Plan
4. Elevations
5. Photo Simulation
6. Landscape Buyout Request

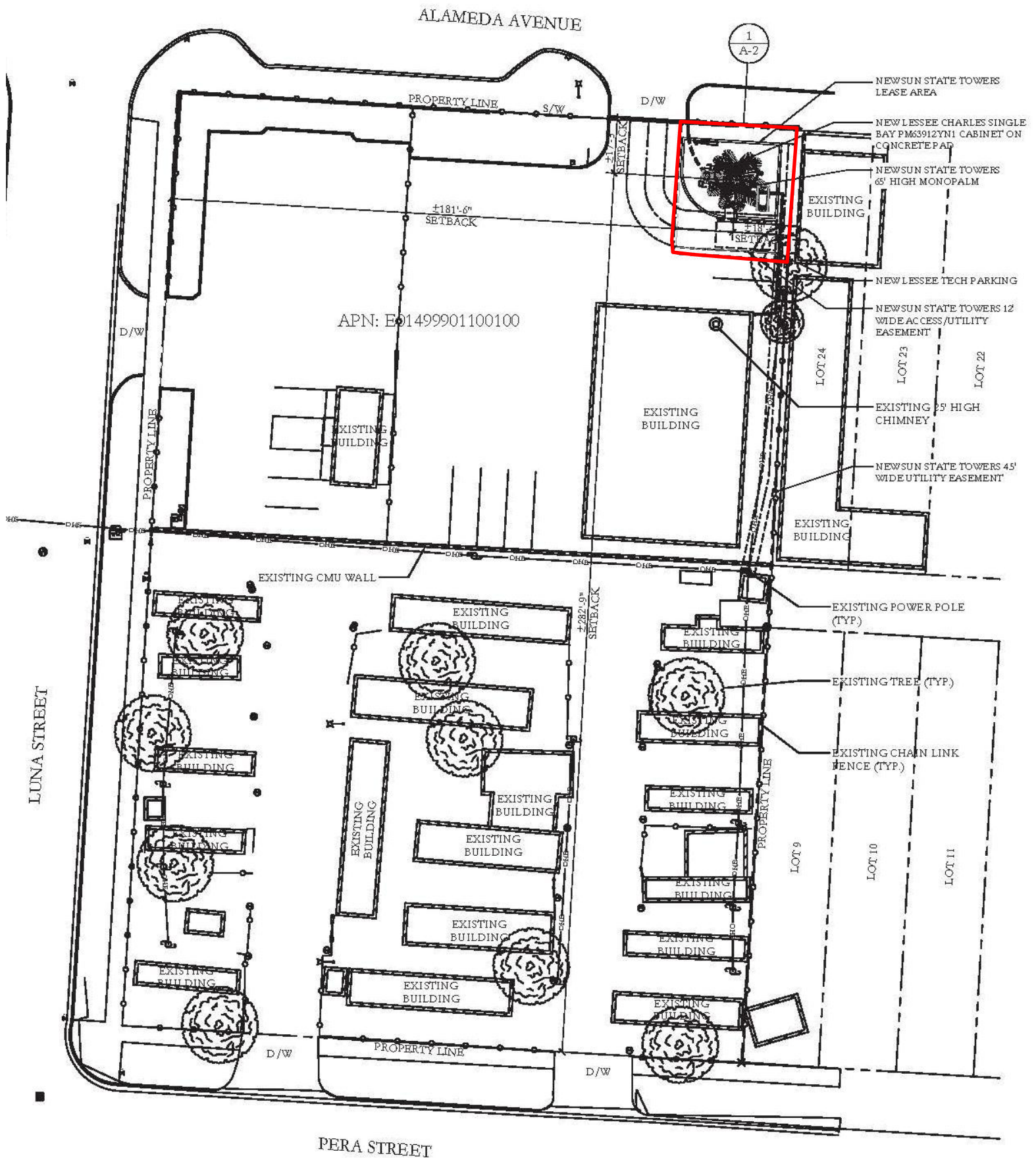
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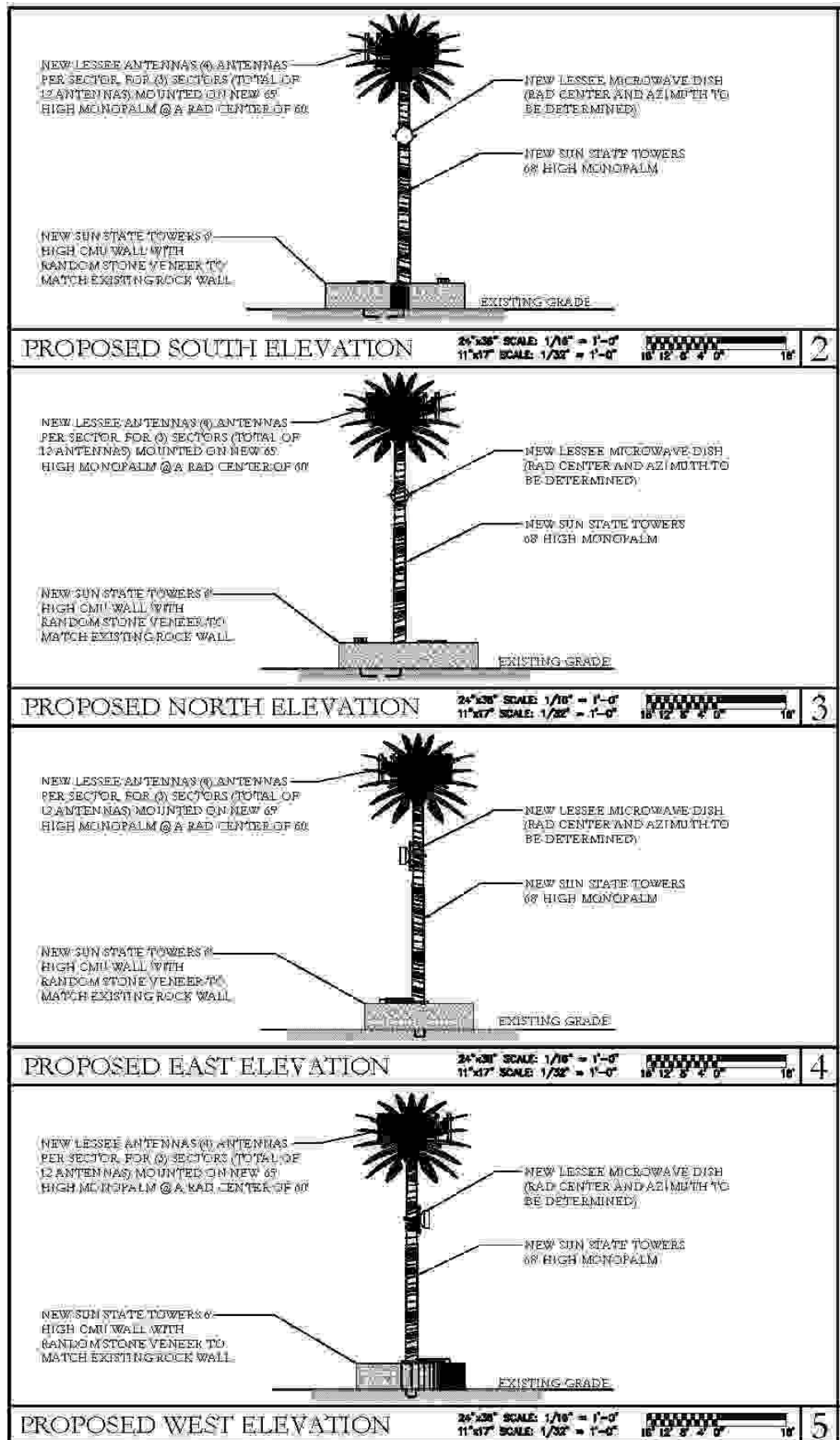
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ATTACHMENT 3: DETAILED SITE DEVELOPMENT PLAN



ATTACHMENT 4: ELEVATIONS



ATTACHMENT 5: PHOTO SIMULATION

EXISTING

**TX 10-040 CHIHUAHUA
VIEW FROM THE NE**



**THIS PHOTOSIM IS INTENDED TO BE AN APPROXIMATE
VISUAL REPRESENTATION OF THIS PROJECT**

ATTACHMENT 5: PHOTO SIMULATION

PROPOSED

**TX 10-040 CHIHUAHUA
VIEW FROM THE NE**



**THIS PHOTOSIM IS INTENDED TO BE AN APPROXIMATE
VISUAL REPRESENTATION OF THIS PROJECT**



June 11, 2015

To: Michael McElroy
From : Ben Feldman applicant for Sun State Towers
Re: PWSF Landscaping Buyout

Mr. McElroy,

As required by the following El Paso municipal code below, Sun State Towers elects the following option in regards to the landscaping requirement.

18.46.140 Fees in lieu of installation.

A. When applicable. The following projects may pay fees in lieu of installation of the required landscaping material and irrigation system, and shall not be subject to the requirements of this chapter if such fees are paid in accordance with the following provisions.

1. Unmanned facilities.

2. Manned facilities, if the required landscapable area requires 0.5 of a unit of plant material or less.

B. Fee calculation. Where the city accepts payment of cash in lieu of the installation of landscape material and irrigation system, such payment shall be equivalent to the following:

1. Unmanned facilities.

a. Any unmanned facility with a calculated landscapable area requiring one unit of plant material or less, shall pay fees in the amount of five thousand dollars per site.

b. All other unmanned facilities with a calculated landscapable area requiring more than one unit of plant material, may pay fees based on five thousand dollars per unit of plant material required.

2. Manned facilities. Any manned facility with a calculated landscapable area requiring 0.5 of a unit of plant material or less, may pay fees based on five thousand dollars per unit of plant material required.

Sun State Towers elects to pay the desired one-time fee of \$5000.00 in lieu of installation per Section 18.46.140 of the El Paso Municipal Code above which will be due upon submittal of the building permit.

If you have any question or concerns please feel free to call or email me directly.

Sincerely,

Ben Feldman

Ben Feldman
Project Manager
602-819-4663

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